IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 4040 of 1999

Between:

1 Wing Commander Y.V.Krishna Rao(Retd.) S/o. late Y.S.R.Murty,
R/o. Vayupuri, Secunderabad.
2 Y.Rajeshwari, W/o.Wing Commander Y.V.Krishna Rao(Retd.)
R/o. Vayupuri, Secunderabad.

..... PETITIONERS

AND

1 Municipal Corporation of Hyderabad, rep.by its Special Officer/Commissioner, Burugula Ramakrishna Rao Bhawan, Hyderabad.
2 Additional Commissioner,Secunderabad Division, Municipal Corporation of Hyderabad M.C.H., Commercial Complex, Secunderabad.
3 Rent Inspector, Municipal Corporation of Hyderabad M.C.H.,
Secunderabad Division, M.C.H.,Commercial Complex, Secunderabad.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction declaring the action of the respondents in seeking to recover the arrears of rent and further seeking to dispossess the petitioners from shop No.4 situate at M.C.H. Commercial complex, R.P.Road, Secunderabad and shop No.7 situate at MCH, commercial Complex, S.P.Road, Secunderabad, without following the due process of law as arbitrary, illegal, unjust, without jurisdiction, violative to the principles of natural justice, violative of fundamental rights guaranteed to them under Articles 14, 19(1) (g) and 21 of the Constitution of India and issue a consequential direction to the respondents not to either recover arrears of rent or dispossess the petitioners from the above mentioned shops without following the due process of law

Counsel for the Petitioner:MR.S.SRINIVAS REDDY

Counsel for the Respondent No.: SMT.G.JYOTHI KIRAN

The Court made the following :

ORDER:

The present writ petition is filed questioning the action of the respondents in recovering the arrears of rent and in trying to dispossess the petitioners from the shop No.4, M.C.H. Commercial Complex, R.P.Road, Secunderabad and Shop No.7, M.C.H. Commercial Complex, S.P. Road, Secunderabad.

Learned counsel for petitioners submitted that this Court granted interim orders on 12-3-1999 and as per the interim orders, the petitioners had paid the arrears of rent. It is further stated that pursuant to filing the present writ petition, the Estate Officer passed eviction orders and the same were challenged before the competent Civil Court and the matter is pending adjudication and no further orders are required to be passed in the present writ petition.

Recording the submissions of learned counsel for petitioners, the writ petition is dismissed as infructuous. No costs.

_____

N.V.RAMANA,J

24-06-2005

TVK

ASST. REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.. The Special Officer/Commissioner, Municipal Corporation of Hyderabad, Burugula Ramakrishna Rao Bhawan, Hyderabad.
2 The Additional Commissioner,Secunderabad Division, Municipal Corporation of Hyderabad M.C.H., Commercial Complex, Secunderabad.
3 The Rent Inspector, Municipal Corporation of Hyderabad M.C.H., Secunderabad Division, M.C.H.,Commercial Complex, Secunderabad.

4) 2 CD copies

*Form-NIC-OGS/WP{**NS**}*

THE HON'BLE MR JUSTICE N.V. RAMANA

-

-

-

-

-

-

-

-

-

-

-

-

-

-

WRIT PETITION NO : 4040 of 1999

Date: 24-6-2005